

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2003-CE-18-AD; Amendment 39-13139; AD 2003-09-10]

RIN 2120-AA64

Airworthiness Directives; Raytheon Aircraft Company Model 390 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Raytheon Aircraft Company (Raytheon) Model 390 airplanes. This AD requires you to modify the aft power distribution box and the aft ram air duct. This AD is the result of reports of two incidents involving temporary loss of all attitude display information. The actions specified by this AD are intended to prevent moisture from entering the aft power distribution box through the aft ram air duct, which could result in electrical power failure. Such failure could lead to loss of all attitude display information during flight.

DATES: This AD becomes effective on May 13, 2003.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation as of May 13, 2003.

The Federal Aviation Administration (FAA) must receive any comments on this rule on or before June 20, 2003.

ADDRESSES: Submit comments to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003-CE-18-AD, 901 Locust, Room 506, Kansas City, Missouri 64106. You may view any comments at this location between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. You may also send comments electronically to the following address: 9-ACE-7-Docket@faa.gov. Comments sent electronically must contain "Docket No. 2003-CE-18-AD" in the subject line. If you send comments electronically as attached electronic files, the files must be formatted in Microsoft Word 97 for Windows or ASCII text.

You may get the service information referenced in this AD from Raytheon Aircraft Company, 9709 E. Central, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or (316) 676-3140. You may view this information at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2003-CE-18-AD, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Bryan Easterwood, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: (316) 946-4132; facsimile: (316) 946-4107.

SUPPLEMENTARY INFORMATION:

Discussion

What events have caused this AD? The FAA has received reports of two incidents involving temporary loss of all attitude display information during flight on certain Raytheon Model 390 airplanes. Through investigation and testing, we discovered that moisture is entering the aft power distribution box through the aft ram air duct, which could freeze and/or cause corrosion to form in the left-hand and right-hand generator relays, battery tie relay, and the essential bus relay. This condition could cause the relays to fail in the open position or fail in the mid position and result in loss of power.

Raytheon issued Safety Communiqué No. 222, dated April 2002, to inform the owners/operators that power to the standby electrical bus can be restored by placing the Battery switch in the STBY position to allow continued flight and landing.

What are the consequences if the condition is not corrected? This condition, if not corrected, could result in electrical power failure. Such failure could lead to loss of all attitude display information during flight.

Is there service information that applies to this subject? Raytheon has issued Mandatory Service Bulletin SB 24-3606, Issued: April, 2003; and Mandatory Service Bulletin 24-3544, Issued: November, 2002.

What are the provisions of this service information? These service bulletins include procedures for:

- Modifying the aft power distribution box by replacing part number SM400D79 (left-hand and right-hand generator relays and battery tie relay) with part number SM400D79-1 relays, and replacing part number SM150D22 (essential bus relay) with part number SM150D22-1 relay; and
- Modifying the aft ram air duct.

The FAA's Determination and an Explanation of the Provisions of This AD

What has FAA decided? The FAA has reviewed all available information, including the service information referenced above; and determined that:

- The unsafe condition referenced in this document exists or could develop on other Raytheon Model 390 airplanes of the same type design;
- The actions specified in the previously-referenced service information should be accomplished on the affected airplanes; and
- AD action should be taken in order to correct this unsafe condition.

What does this AD require? This AD requires you to incorporate the actions in the previously-referenced service bulletins.

In preparation of this rule, we contacted type clubs and aircraft operators to obtain technical information and information on operational and economic impacts. We did not receive any information through these contacts. If received, we would have included, in the rulemaking docket, a discussion of any information that may have influenced this action.

How does the revision to 14 CFR part 39 affect this AD? On July 10, 2002, FAA published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs FAA's AD system. This regulation now includes material that relates to special flight permits, alternative methods of compliance, and altered products. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

Will I have the opportunity to comment prior to the issuance of the rule? Because the unsafe condition described in this document could result in loss of all attitude display information during flight, we find that notice and opportunity for public prior comment are impracticable. Therefore, good cause exists for making this amendment effective in less than 30 days.

Comments Invited

How do I comment on this AD? Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, FAA invites your comments on the rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments to the address specified under the caption ADDRESSES. We will consider all comments received on or before the closing date specified above. We may amend this rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether we need to take additional rulemaking action.

Are there any specific portions of the AD I should pay attention to? We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. You may view all comments we receive before and after the closing date of the rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each FAA contact with the public that concerns the substantive parts of this AD.

How can I be sure FAA receives my comment? If you want us to acknowledge the receipt of your comments, you must include a self-addressed, stamped postcard. On the postcard, write "Comments to Docket No. 2003-CE-18-AD." We will date stamp and mail the postcard back to you.

Regulatory Impact

Does this AD impact various entities? These regulations will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, FAA has determined that this final rule does not have federalism implications under Executive Order 13132.

Does this AD involve a significant rule or regulatory action? We have determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a significant regulatory action under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39–AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. FAA amends § 39.13 by adding a new airworthiness directive (AD) to read as follows:

AIRWORTHINESS DIRECTIVE

Aircraft Certification Service
Washington, DC



U.S. Department
of Transportation
**Federal Aviation
Administration**

We post ADs on the internet at "www.faa.gov"

The following Airworthiness Directive issued by the Federal Aviation Administration in accordance with the provisions of Title 14 of the Code of Federal Regulations (14 CFR) part 39, applies to an aircraft model of which our records indicate you may be the registered owner. Airworthiness Directives affect aviation safety and are regulations which require immediate attention. You are cautioned that no person may operate an aircraft to which an Airworthiness Directive applies, except in accordance with the requirements of the Airworthiness Directive (reference 14 CFR part 39, subpart 39.3).

2003-09-10 Raytheon Aircraft Company: Amendment 39-13139; Docket No. 2003-CE-18-AD.

(a) *What airplanes are affected by this AD?* This AD applies to Model 390 airplanes, serial numbers RB-1 through RB-64, that are certificated in any category.

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the airplanes identified in paragraph (a) of this AD must comply with this AD.

(c) *What problem does this AD address?* The actions specified by this AD are intended to prevent moisture from entering the aft power distribution box through the aft ram air duct, which could result in electrical power failure. Such failure could lead to loss of all attitude display information during flight.

(d) *What must I do to address this problem?* To address this problem, you must accomplish the following actions:

Actions	Compliance	Procedures
(1) Remove the aft power distribution box and: (i) Inspect the left-hand and right-hand generator relays and the battery tie relay to determine if they are part number SM400D79 (or FAA-approved equivalent part number); (ii) Replace part number SM400D79 with part number SM400D79-1 relays (or FAA-approved equivalent part number); (iii) Inspect the essential bus relay to determine if it is part number SM150D22 (or FAA-approved equivalent part number); and (iv) Replace part number SM150D22 relay with part number SM150D22-1 relay (or FAA-approved equivalent part number) (unless already accomplished in accordance with Raytheon Aircraft Mandatory Service Bulletin SB 24-3544, Issued: November, 2002)	Within the next 10 hours time-in-service (TIS) after May 13, 2003 (the effective date of this AD), unless already accomplished.	In accordance with Raytheon Aircraft Mandatory Service Bulletin SB 24-3606, Issued: April, 2003.

(2) Remove and modify the aft ram air duct. If the procedures in Raytheon Aircraft Mandatory Service Bulletin SB 24-3544, Issued: November, 2002, have already been accomplished, only the procedures specified in Raytheon Aircraft Mandatory Service Bulletin SB 24-3606, Issued: April, 2003, Issued: April, 2003, need be accomplished.	Within the next 10 hours TIS after May 13, 2003 (the effective date of this AD), unless already accomplished.	In accordance with Raytheon Aircraft Mandatory Service Bulletin SB 24-3606, Issued: April, 2003, and Raytheon Aircraft Mandatory Service Bulletin SB 24-3544, Issued: November, 2002.
(3) Only install part number SM400D79-1 (lefthand and right-hand generator relays and battery tie relay) (or FAA-approved equivalent part number); and part number SM150D22-1 (essential bus relay) (or FAA-approved equivalent part number).	As of May 13, 2003 (the effective date of this AD).	Not applicable.

(e) *Can I comply with this AD in any other way?* To use an alternative method of compliance or adjust the compliance time, follow the procedures in 14 CFR 39.19. Send these requests to the Manager, Wichita Aircraft Certification Office (ACO). For information on any already approved alternative methods of compliance, contact Bryan Easterwood, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone: (316) 946-4132; facsimile: (316) 946-4107.

(f) *Are any service bulletins incorporated into this AD by reference?* Actions required by this AD must be done in accordance with Raytheon Aircraft Mandatory Service Bulletin SB 24-3606, Issued: April, 2003, and Raytheon Aircraft Mandatory Service Bulletin SB 24-3544, Issued: November, 2002. The Director of the Federal Register approved this incorporation by reference under 5 U.S.C. 552(a) and 1 CFR part 51. You can get copies from Raytheon Aircraft Company, 9709 E. Central, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or (316) 676-3140. You may view this information at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) *When does this amendment become effective?* This amendment becomes effective on May 13, 2003.

Issued in Kansas City, Missouri, on April 23, 2003.

Dorenda D. Baker,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 03-10726 Filed 5-2-03; 8:45 am]

BILLING CODE 4910-13-P